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Application No.: 10/764,237

Amendment Dated: December 10, 2010

Reply to USPTO Board Decision Dated: October 12, 2010

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. Canceled.
2. Canceled.
3. Canceled.
4. (Currently Amended) The hair holding device of claim 3 11 wherein said slip friction interface extends perpendicular to said hinge means.
5. (Currently Amended) The hair holding device of claim 3 11 wherein at least one of said first and second surfaces is an irregular surface.
6. (Original) The hair holding device of claim 5 wherein at least one of said irregular surfaces is a toothed surface.
7. (Currently Amended) The hair holding device of claim 3 11 wherein said biasing means comprise a compression spring.

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8. (Currently Amended) The hair holding device of claim 3 11 wherein said biasing means comprise a tension spring.

9. (Currently Amended) The hair holding device of claim 3 11 wherein said biasing means comprise a spring clip.

10. (Currently Amended) The hair holding device of claim 3 11 wherein at least one of said surfaces is integral with at least one of said first and second body members.

11. (Currently Amended) A hair holding device comprising:

a first body member and a second body member, said first and second body members comprising hair gripping portions adapted to be squeezed by a user whereby said hair gripping portions come into contact with gathered strands of a user's hair;

hinge means for pivotally connecting said first and second body members; and

adjustment means comprising a slip friction mechanism coaxially arranged with respect to said hinge means for causing said hair gripping portions to remain at a point at which said hair gripping portions are squeezed together by a user, wherein said slip friction mechanism comprises a first surface associated with said first body member, a second surface associated with said second body member, and biasing means for maintaining contact between said first and second surfaces such that a slip friction interface is created between said first and second surfaces, and ~~The hair holding device of claim 3 wherein~~

at least one of said surfaces is provided on at least one insert carried by at least one of said first and second body members.

12. (Currently Amended) A hair holding device comprising:

a first body member and a second body member, said first and second body members comprising hair gripping portions adapted to be squeezed by a user whereby said hair gripping portions come into contact with gathered strands of a user's hair;

hinge means for pivotally connecting said first and second body members;

adjustment means comprising a slip friction mechanism coaxially arranged with respect to said hinge means for causing said hair gripping portions to remain at a point at which said hair gripping portions are squeezed together by a user; and

~~The hair holding device of claim 1 further comprising~~ means for biasing said hair gripping portions into a predetermined position.

13. (Original) The hair holding device of claim 12 wherein said means for biasing comprise a torsion spring having a first end in contact with said first body member and a second end in contact with said second body member.

14. (Original) The hair holding device of claim 13 wherein said first and second body members further comprise handle portions that are squeezable by a user to release said hair gripping portions from the point at which said hair gripping portions are

squeezed together by a user, and wherein said first end of said torsion spring is in contact with said handle portion of said first body member and said second end of said torsion spring is in contact with said handle portion of said second body member.

15. (Currently Amended) A hair holding device comprising:

a first body member and a second body member, said first and second body members comprising hair gripping portions adapted to be squeezed by a user whereby said hair gripping portions come into contact with gathered strands of a user's hair, ~~The hair holding device of claim 1~~ wherein said first and second body members further comprise handle portions that are squeezable by a user to release said hair gripping portions from the point at which said hair gripping portions are squeezed together by a user;

hinge means for pivotally connecting said first and second body members; and

adjustment means comprising a slip friction mechanism coaxially arranged with respect to said hinge means for causing said hair gripping portions to remain at a point at which said hair gripping portions are squeezed together by a user.